



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jei-Fu Shaw et al.  
 Serial No. : 10/782,287  
 Filed : February 19, 2004  
 Title : STARCH-DERIVED PRODUCTS

Art Unit : 1651  
 Examiner : Taeyoon Kim



**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

In the action mailed June 26, 2006, the Examiner holds that all of the pending claims can be categorized into five groups, Groups I to V, and that some of the pending claims are directed to a number of species covered by one or more of three groups, groups (i) to (iii).

Applicants elect the invention of Group II, i.e., claims 14-20, for prosecution, and further elect rice of group (ii) and wine of group (iii) as the single species. Claims 14-20 all read on the elected species.

The election is made without traverse. More specifically, Applicants request that claims 1-13 of Group I be considered together with claims 14-20 of Group II. Indeed, a review of the bodies of these claims 1 and 14 indicates that these two claims are very similar. Indeed, the only difference is an additional recitation set forth at the end of claim 14, i.e., "a microorganism that converts glucose to a fermentation product." Applicants submit that if claim 1 is patentable over prior art, so is claim 14. In other words, there is no extra burden for the Examiner to consider the claims of both Groups I and II.

If the Examiner agrees to also consider Group I, Applicants further elect fructose of group (i) and rice of group (ii) as the single species. Claims 1-14 all read on the elected species.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

8-21-06

Date of Deposit

*Christine Powers*

Signature

*Christine Powers*

Typed or Printed Name of Person Signing Certificate

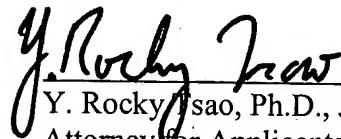
Applicant : Jei-Fu Shaw et al.  
Serial No. : 10/782,287  
Filed : February 19, 2004  
Page : 2 of 2

Attorney's Docket No.: 08919-104001 / 09A-911128

Please apply any charges or credits to Deposit Account No. 06-1050, referencing 08919-104001.

Respectfully submitted,

Date: 8-21-06

  
Y. Rocky Tsao, Ph.D., J.D.  
Attorney for Applicants  
Reg. No. 34,053

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

21405552.doc